

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-----X Docket #: CV-S-05-1263-PMP-LRL
JANICE KLEMME, MIGUELA SUAREZ, and
LARRY SUHRBIER individually and on behalf of
all others similarly situated,

Plaintiff,

-against-

DANIEL K. SHAW, MICHAEL V. VILLAMOR,
GREGORY SCHATZMAN, DANIEL K. SHAW
as Trustee of the Dan K. Shaw Separate Property
Trust, MARK LOGAN, as Trustee of the
M&M Domestic Non Grantor Trust, John Does 1-5
and John Doe Entities 1-5,

Defendants.

[PROPOSED] ORDER
MODIFYING
ENFORCEMENT OF
CLASS ACTION
SETTLEMENT AND
DIRECTING
DISTRIBUTION OF
SETTLEMENT FUNDS
AND ENTRY OF CLASS
MEMBER JUDGMENTS

-----X
On _____, the Court heard Class Counsel's unopposed motion for modification
of the Court's previously approved class action settlement and directing distribution of
settlement funds and entry of class member judgements. For the reasons discussed in that
motion, and the relevant circumstances that have developed since the Court's entry of its
Order of final approval of this settlement (Docket #218), that motion is granted and the
following relief is approved as requested in the motion and specified below:

(1) Class counsel is authorized to retain \$3,570.52 from their IOLTA account funds
which are property of the class in payment of their fee and expenses in this matter;

(2) Class counsel is to distribute the remaining \$5,360 in their IOLTA account funds which are property of the class to the 22 claiming class members in the amounts listed on Ex. "A" and shall do so by mailing such persons checks at their provided addresses within 60 days of the entry of this Order;

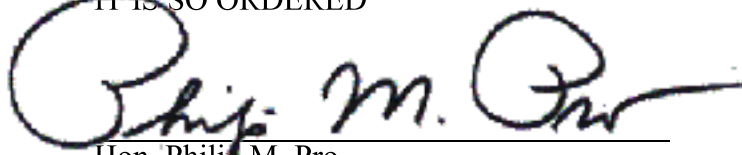
(3) Class counsel shall within 60 days of entry of this Order mail a letter to the 110 claiming class members in the form annexed hereto as Ex. "B" which shall, where necessary, incorporate the relevant information from Ex. "A" and/or Ex. "C" of this Order;

(4) The Clerk of the Court shall enter a judgment in the name of each of the 110 claiming class members against the defendant MICHAEL V. VILLAMOR in the amount specified in Ex. "C";

(5) In the event any of the 22 claiming class members who are mailed a check as provided for in this Order fail to cash such check within 180 days of its dispatch, or such check is returned by the postal service without a forwarding address, the funds represented by such check will be paid by class counsel to the National Employment Law Project as a *cy pres* beneficiary without the need for any further Order from this Court.

Dated: April 8, 2014

IT IS SO ORDERED

A handwritten signature in black ink, appearing to read "Philip M. Pro", written over a horizontal line.

Hon. Philip M. Pro
United States District Judge

Submitted by:

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Attorneys for Plaintiffs .

EXHIBIT “A”

Class/Claimant	Payment Amount	JUDGMENT AMOUNT
BALLARD, ARDITH	97	1441
BESWAYAN, MICHAEL	124	1853
CASSIDY, SHEILA	674	10055
DRAPO, LINDA	89	1329
DRAPO, RICHARD	96	1437
FEINGOLD, FRANCINE	74	1098
FEINGOLD, NEIL	221	3290
HARKER, CAROLYN	599	8935
HOFFMAN, ERIC	227	3382
KLEMMME, JANICE	165	2458
KOZAK, PHYLLIS	195	2901
KRUEGER, JANET	922	13754
MOGEE, WILLIAM	121	1805
OWENS, GERALDINE	126	1881
OWENS, MILTON	326	4859
PENDERGAST, DAVID	78	1159
PENFIELD, JOIELLA	93	1387
PENFIELD, LUTHER	122	1821
RAVERT, ERNEST	87	1297
TAYLOR, ERLINDA	750	11191
TRATOS, TERI	98	1466
WILLIS, TERESA	76	1139
total	5360	79938

EXHIBIT “B”

INSERT DATE

Re: Settlement of Claims in Klemme v. Shaw et al.
(Castaways litigation) 2:05-cv-1263-PMP-LRL

Dear :

This letter is to advise you of the disposition of the above case in which you are a class member and have made a settlement claim. The above Court has issued an Order amending the settlement in this matter. Because most of the funds that were originally promised to be paid under the settlement have not been paid, the Court has directed that a judgment be entered in your favor in the amount of against defendant Michael Villamor. You may attempt to collect that judgment if you wish, and you can consult an attorney of your choosing for assistance with pursuing that process, but this office will not be making any attempt to collect that judgment for you. This office has also been discharged as your attorney in this matter and the above Court is not expected to appoint any other attorney to represent you in this matter.

[Insert Below Only for Claiming Class Members Receiving Payment]

[You are receiving with this letter a check for . This is the total amount of money paid in the settlement of this case that you will be receiving unless you are successful in collecting on your judgment against Michael Villamor.]

Very truly yours,

Leon Greenberg

EXHIBIT “C”

name-last	name-first	JUDGMENT AMOUNT
ADAMS	SANDRA	84
ADAMS	RUSSELL	106
BAKER	MICHAEL	15
BALDONADO	JAMES	15
BALLARD	JACK	60
BALLARD	ARDITH	1441
BENTZ	VERIS	24
BENTZ	DONALD	83
BESWAYAN	MICHAEL	1853
BOROWSKI	RICHARD	132
BOWMAN	VICTORIA	904
BRIDGE	RENEE	536
CARINO	MARK	465
CARRASCO	CARLOS	37
CASSIDEY	SHEILA	10055
CAVALLO	JOSEPHINE	19
COLACINO	RICHARD	39
COLEMAN	LINDA	128
DIPAULO	BERNARD	51
DRAPO	RICHARD	1329
DRAPO	LINDA	1437
DYCAICO	BRENDA	952
EDELBAUM	MARTIN	13
FEINGOLD	FRANCINE	1098
FEINGOLD	NEIL	3290
FISHER	KATHY	43
FITZGERALD	SANDRA	536
GAUTHIER	JOSEPH	286
GAUTHIER	LOLA	337
GAXIOLA	STEVE	24
GIGLIO	MARILYN	43
GIGLIO	CHARLES	421
GONZALEZ-CABRERA	AMETH	10
GRABIAK	CHARLES	28
HANASH	FRANCOIS	315
HARDING	CRYSTAL	265
HARKER	CAROLYN	8935
HAY	ERIC	4
HENRY	SUSANNA	131
HOFFMAN	JAMES	19
HOFFMAN	MICHAEL	28
HOFFMAN	CYNTHIA	987
HOFFMAN	ERIC	3382
HULL	JIMMIE	350
ITALIANO	NELSON	13

JACKSON	BENITA	91
JOHNSON	JUNE	102
JONES	RICHARD	48
KAPLAN	EDWARD	94
KLEMMIE	JANICE	2458
KOZAK	PHYLLIS	2901
KRUEGER	JANET	13754
LEITHOFF	SHEILA	58
MALIAGROS	MARGARET PANAGIS	96
MATASSA	TRACY	4
MAZVA	MARILYNN	8
MOGEE	KERRY	268
MOGEE	WILLIAM	1805
MOLAIN	STEPHEN	26
MEAD	MELODY	432
MELTON	LAWRENCE	813
MORENO	ELSA	56
NOLASCO	DAIMAY ZANGEL	83
OWENS	MILTON	1881
OWENS	GERALDINE	4859
PACKER	JESSIE	21
PACKER	ALVIN	210
PENDERGAST	DAVID	1159
PENFIELD	JOELLA	1387
PENFIELD	LUTHER	1821
PFERSCHING	KARINA	60
PFERSCHING	BONNIE JEAN	217
PICKERT	GENEVIEVE	57
POWER	VICKIE	37
POWNALL	ALICE	8
RAVELO	INES	50
RAVERT	ERNEST	1297
ROBINS	JUDY	87
RODGE	DAVID	44
RODRIGUEZ	CHRISTINE	98
ROGERS	LARRY	45
SANCHEZ	SAL	450
SANDOVAL	SAVANNA	61
SCOVEL	MAY	54
SMITH	FLORENCE	21
SORKHAB	DIANE	14
SORKHAB	DRAKE	97
SORKHAB	HOSSEIN	940
ST. GEORGE	CHRISTOPHER	667
STAHL	JOSEPH	163
STEIN	PHILIP	112
STEMPLE	GERALDINE	233

SUAREZ	MIGUELA	136
SUHRBIER	LAWRENCE	39
TAYLOR	CATHERINE	356
TAYLOR	ERLINDA	11191
TOBER	JEAN□	19
TRATOS	TERI	1466
TROUTT	VIVIAN	118
WALKER	VICKIE	14
WANDTKE	RICHARD	38
WELLS	RHONDA	71
WILLIAMS	JUSTIN	63
WILLIAMS	MARY	159
WILLIAMS	JANICE	942
WILLIAMSIII	ROBERT	11
WILLIS	TERESA	1139
ZUNIGA	JOHNNY	37
ZUNIGA	ERIN	608
ZUNIGA JR	JOHNNY	22